

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 20717YCA  
First Inventor or Application Identifier Balkrishen Bhat, et al.  
Title Nucleoside Derivatives As Inhibitors Of RNA-Dependent RNA Viral Polymerase  
Express Mail Label No. EV321982497US

APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents.</i>		ADDRESS TO: Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	
1. <input checked="" type="checkbox"/> Fee Transmittal Form (Submit an original, and a duplicate for fee processing)		6. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)	
2. <input checked="" type="checkbox"/> Specification [ Total Pages 202 ]		a. <input type="checkbox"/> Computer Readable Form (CRF)	
3. <input type="checkbox"/> Drawing(s) (35 USC 113) [ Total Sheets ]		b. <input type="checkbox"/> Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper	
4. Oath or Declaration a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 14 completed) i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33 (b).		c. <input type="checkbox"/> Statements verifying identity of above copies	
5. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76		<b>ACCOMPANYING APPLICATION PARTS</b>	
14. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76: <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No. 10/052,318 Prior application information: Examiner Lawrence E. Crane Group/Art Unit: 1623 For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.		7. <input type="checkbox"/> Assignment papers (cover sheet & document(s)) 8. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney (when there is an assignee) 9. <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Copies of (IDS)/PTO-1449 IDS Citations 10. <input checked="" type="checkbox"/> Preliminary Amendment 11. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized) 12. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed) 13. <input type="checkbox"/> Other:	
<b>15. CORRESPONDENCE ADDRESS</b>			
<input checked="" type="checkbox"/> Customer Number		Customer No. 000210	
NAME	Philippe L. Durette		
ADDRESS	Merck & Co., Inc., P. O. Box 2000 - Patent Dept., RY60-30		
CITY	Rahway	STATE	NJ
COUNTRY	USA	ZIP CODE	07065-0907
	TELEPHONE	732-594-4568	FAX 732-594-4720

Name	Philippe L. Durette	Registration No. (Attorney/Agent)	35,125
Signature		Date	10/17/2003

EXPRESS MAIL CERTIFICATE	
DATE OF DEPOSIT	October 17, 2003
EXPRESS MAIL NO.	EV321982497US
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE" ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.	
MAILED BY	Lori Schepers
DATE	10/17/03

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents,  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Prior Application:

Examiner	Lawrence E. Crane
Art Unit	1623

Sir: This is a request for filing a ☒ Continuation ☐ Divisional

application, under 37 C.F.R. 1.53(b), of pending application Serial No. 10/052,318 filed on

January 18, 2002 of Balkrishen Bhat, et al.

(DATE)

(INVENTOR)

for Nucleoside Derivatives As Inhibitors of RNA-Dependent RNA Viral Polymerase

(TITLE OF INVENTION)

1. The enclosed comprises a copy of prior application Serial No. 10/052,318, as filed on January 18, 2002. The entire disclosure of this prior application is hereby incorporated by reference.

2. The filing fee is calculated below:

## CLAIMS AS FILED IN THE PRIOR APPLICATION, LESS ANY CLAIMS CANCELED BY AMENDMENT BELOW

FOR	NUMBER FILED		NUMBER EXTRA		RATE	FEE
Total Claims	10	-	20	0	x	\$18
Independent Claims	2	-	3	0	x	\$86
*Multiple Dependent Claims						\$290
Basic Fee (minimum amount required)						\$770
						\$770
						<b>Total Fee</b>

\* Add this fee if application contains any multiple dependent claims, regardless of number.

3. The Commissioner is hereby authorized to charge any fees which may be required or to credit any overpayment to Account No. 13-2755.

4. ☒ Amend the specification by inserting before the first line the sentence:  
-- This is a ☒ continuation, ☐ division of application Serial No. 10/052,318, filed January 18, 2002.

5. ☐ Cancel in this application original claims: \_\_\_\_\_.

6. ☒ Preliminary amendment enclosed.

7. ☐ Information Disclosure Statement/PTO-1449 enclosed.

8a. ☐ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.

8b. ☐ New formal drawings are enclosed.

9a. ☐ Priority of application Serial No. \_\_\_\_\_, filed \_\_\_\_\_, in \_\_\_\_\_ is claimed under 35 U.S.C. 119.  
(COUNTRY)

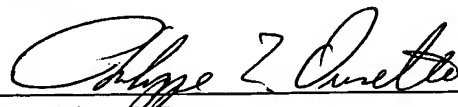
9b. ☐ The certified copy of the priority application has been filed in prior application Serial No. \_\_\_\_\_, filed \_\_\_\_\_.

10. ☐ The prior application is assigned to \_\_\_\_\_.

11. ☒ The undersigned attorney or agent has:

- a. ☒ Power in the prior application as originally filed.  
b. ☐ Associate power, copy enclosed.

Respectfully,



By: Philippe L. Durette

Attorney \_\_\_\_\_ for Applicant(s)

Registration No. 35,125

Telephone: (732) 594-4568

Address: Merck & Co., Inc.  
Patent Department  
P.O. Box 2000 - RY60-30  
Rahway, N.J. 07065-0907

Date: October 17, 2003

## EXPRESS MAIL CERTIFICATE

DATE OF DEPOSIT October 17, 2003

EXPRESS MAIL NO. EV321982497US

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE" ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450.

MAILED BY

*Lori Schepisi* DATE 10/17/03

IN DUPLICATE

Enclosure